

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nirat Bhupesh Shah

Confirmation No.: 3005

Serial No.: 09/346,884 Examiner: Anh Vu H. Ly

Filed: July 2, 1999 Group Art Unit: 2616

For: CHANGE OF A CODEC DURING AN ACTIVE CALL

Date: April 5, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed January 8, 2007, finally rejecting claims 1-13 and 17-19. The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

- ☒ other than a small entity
☐ small entity. Verified statement ☐ attached ☐ already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

- ☐ small entity \$250
☒ other than a small entity \$500

Notice of Appeal fee due \$ 500

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.17 (a)-(d) for the total number of months checked below:

Extension Fee:

	<u>Months</u>	<u>Small Entity</u>	<u>Other Than Small Entity</u>
<input type="checkbox"/>	one month	\$ 60.00	\$ 120.00
<input type="checkbox"/>	two months	\$225.00	\$ 450.00
<input type="checkbox"/>	three months	\$510.00	\$ 1020.00
<input type="checkbox"/>	four months	\$795.00	\$1,590.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is :

Notice of Appeal fee \$ 500
Extension fee (if any) \$

TOTAL FEE DUE \$ 500

5. FEE PAYMENT

- ☒ Payment is made electronically by credit card.
- ☒ Any deficiency or overpayment for extensions of time or claims should be charged or credited to deposit account number 13-1703.

Respectfully submitted,

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